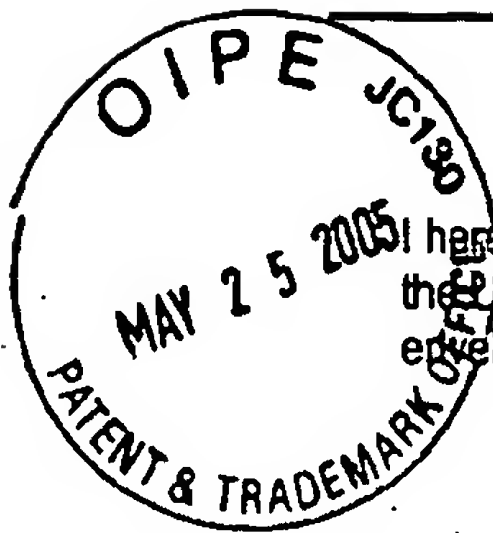


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on May 23, 2005


Edward A. Squillante, Jr.
Reg. No. 38,319
Attorney for Applicant

May 23, 2005
Date of Signature

PATENT

CASE #F6146(C)
UNUS #02-0058-U/US

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP # 1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Farr et al.
Serial No.: 10/081,575
Filed: February 22, 2002
For: Effervescent Beverage Product and Method for Drinking the Same
Group: 1761
Examiner: Robert Madsen
Englewood Cliffs, New Jersey 07632

AMENDMENT AND REPLY UNDER 37 CFR §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following reply is responsive to the Office Action mailed February 23, 2005. Claims 1-21 were the claims originally presented for prosecution on the merits, and they are the claims that remain pending in the application. Reexamination and reconsideration of the subject application are respectfully requested.

Also, enclosed herewith, is a Notice of Appeal to the Board of Appeals and Patent Interferences.